



# Public Service Commission of Wisconsin

Burneatta Bridge, Chairperson  
Robert M. Garvin, Commissioner  
Mark Meyer, Commissioner

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## **Statement from the Public Service Commission of Wisconsin General Counsel David Gilles November 29, 2004**

Regarding the decision of Dane County Circuit Court Judge David Flanagan  
On the Wisconsin Electric Power Company's Elm Road construction project.

"The Public Service Commission of Wisconsin (PSC) is disappointed by Judge Flanagan's decision to vacate the Certificate of Public Convenience and Necessity approved by the Commission last November for Wisconsin Electric Power Company to construct two-large coal-fired electric power plants at the Oak Creek Power Plant. We feel our review process of the application and decision in this case were both thorough and complete.

The PSC is currently reviewing the court decision and considering appropriate options to effectively address the court's actions today. Options could range from re-opening the PSC docket in this case to appealing the decision to a higher court. No decision will be made at the PSC until there is more thorough review.

The PSC or other parties in the case have 90 days to appeal the decision."